

# FLOWERS ♡ DAVIS, P.L.L.C.

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June 17, 2021

**Via CM/RRR: 7014 2120 0001 7708 1191**

Texas Attorney General  
Open Records Division  
P.O. Box 12548  
Austin, Texas 78711-2548

Re: Nacogdoches County's Requested Exceptions to the Public Information Act  
Request from Paul Anderson

Dear Attorney General Paxton:

Please be advised that this law firm represents Nacogdoches County regarding the above-referenced Public Information Act request which was received by email on May 19, 2021, from Paul Anderson, and later clarified by letter dated June 6, 2021, which was received on June 7, 2021. See Exhibits A, B. Please allow this letter to serve as Nacogdoches County's request for an Attorney General Opinion tendered within 10 business days of the clarification. Nacogdoches County will submit its brief and supporting documentation within 15 business days of the clarification.

In the open records request/clarification, the requestor asks for:

1. The specific audio recording between Brandon Finchum and Paul Anderson;
2. A copy of any and all communications including emails or text messages referencing the telephone call between attorney Paul Anderson and Brandon Finchum in your May 19th email;

3. A copy of any log, electronic record or written recording of any telephone call to and from the Nacogdoches County Jail and related to Brandon Finchum since January 1, 2020;
4. A copy of any communication, writing or electronic record of Nacogdoches County Attorney's office policy on attorney-client communications, including, but not limited to, monitoring telephone calls from inmates incarcerated in the Nacogdoches County Jail.
5. A copy of any communication, writing or electronic record of Nacogdoches County Attorney's office admonishing, disciplining, or counseling the "employee" that listened to the confidential and privileged attorney-client recording referred to in your May 19th, 2021 email.
6. Please provide a copy of any communication, writing or electronic record created by the Nacogdoches County Attorney's office and referring to "taking steps to avoid this happening again" stated in your May 19th, 2021 email.

See Exhibits A, B.

Nacogdoches County has no items responsive to items 4,5, and 6 and has advised the requestor of that fact. As for the other requests, the information sought by requestor is excepted from the Public Information Act on the following grounds:

1. **Section 552.101 of the Texas Government Code exempts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Tex. Gov't Code § 552.101.**
2. **Section 552.111 of the Texas Government Code exempts core work-product/attorney mental processes, as defined in Texas Rule of Civil Procedure 192.5, from disclosure.**

Thank you in advance for your consideration of this important issue. Please do not hesitate to contact me if you require more information.

Very truly yours,



Robert S. Davis

RSD/rho/rlo  
Enclosures

cc: Paul Anderson (Requestor) ✓

Attorney at Law  
601 North Street  
Nacogdoches, TX 75961

**(Via CM/RRR: 7014 2120 0001 7708 1177, w/o enclosures)**